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In re Application of :
PAEK, Seungyup *et al* :
U.S. Application No.: 09/831,215 :
PCT No.: PCT/US99/26127 :
Int. Filing Date: 05 November 1999 :
Priority Date: 05 November 1998 :
Docket No.: 32282-PCT-USA 070050.1164 :
For: IMAGE DESCRIPTION SYSTEM AND :
METHOD :

**DECISION ON
RENEWED PETITION
UNDER 37 CFR 1.47(a)**

This is a decision on applicants' "Response to Second Decision on Petition Under 37 CFR 1.47(a)" filed on 19 February 2004.

BACKGROUND

On 15 August 2003, a decision dismissing applicants' petition under 37 CFR 1.47(a) was mailed. A new declaration executed by co-inventors Seungyup Paek, Ana Benitez and Shih-Fu Chang was required for a grantable petition.

On 19 February 2004, applicants submitted the instant renewed petition which was accompanied by, *inter alia*, a four-month extension and fee, and a declaration signed by three of the eight co-inventors.

DISCUSSION

In the papers filed 11 July 2003, applicants submitted declarations executed by the five nonsigning joint inventors. The declarations signed by co-inventors, Chung-Sheng Li, John R. Smith, Lawrence D. Bergman, Atul Puri and Qian Huang were in compliance with 37 CFR 1.497(a) and (b).

However, the declaration originally submitted 07 June 2002 and signed by three co-inventors specified the wrong inventive entity as only seven co-inventors were listed, instead of eight. Therefore, this declaration was not in compliance with 37 CFR 1.497(a)(3).

In the renewed petition, applicants have submitted declarations properly executed by the three remaining co-inventors Seungyup Paek, Ana Benitez and Shih-Fu Chang. These declarations are in compliance with 37 CFR 1.497(a) and (b).

CONCLUSION

Applicants' second renewed petition under 37 CFR 1.47(a) is **DISMISSED** as **MOOT**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 05 November 1999, under 35 U.S.C. 363, and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 19 February 2004.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.



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